

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

A.O.A., *et al.*

Plaintiffs,

V.

THE DOE RUN RESOURCES  
CORPORATION, *et al.*,

Defendants.

Case No.: 4:11-cv-00044-CDP  
(CONSOLIDATED)

## DECLARATION OF GEOFFREY M. DRAKE

I, Geoffrey M. Drake, declare as follows:

1. I am counsel for Defendants in the above-captioned matter.
2. I conferred by telephone on February 12, 2020, with Kristine Kraft and Beth Wilkins, counsel for Plaintiffs. During that call, I came to understand that Plaintiffs raised the following issues with respect to Plaintiffs' Sixth Requests for Production, No. 9:  
  - (1) Plaintiffs seek the production of specific documents that they believe should have been produced in 2018, including (a) Mr. Rennert's personal tax returns for certain years, and (b) a host of documents concerning every single individual asset and liability of Mr. Rennert (from property appraisals to art valuations to insurance), which Plaintiffs now contend are responsive to Request No. 9(e); and
  - (2) a request that Defendants supplement their 2018 production made in response to Request No. 9 with documents created after early 2018 through to the present (February 2020), and that Defendants continue to supplement that production on a monthly basis going forward as long as the case continues.
3. This was the first conversation any lawyer at King & Spalding has had with Plaintiffs'

counsel concerning these discovery issues in the nearly one year since entering an appearance as counsel for Defendants.

4. On the February 12, 2020 call, Plaintiffs' counsel stated that they intended to file a motion for sanctions if Defendants were unwilling to produce "immediately" the demanded documents.
5. During the call, I requested that the Plaintiffs refrain from filing a motion for sanctions until Defendants could investigate the issues raised on the call and provide a written response, after which the parties could confer further and attempt to resolve any issues without Court involvement. Plaintiffs stated they would not confer further and would not commit to delaying their motion until after receiving Defendants' written response.
6. On the morning of February 14, 2020, I transmitted to counsel for Plaintiffs a comprehensive written response to the issues Plaintiffs raised on the February 12, 2020 call and invited the Plaintiffs to confer further this week while I am to be in St. Louis for the deposition of one of Defendants' experts in this case. I received no response to this message. Plaintiffs filed their Motion for Sanctions later that afternoon.

I declare that the foregoing is true and correct, and that this Declaration was signed on February 17, 2020 in Atlanta, Georgia.

Respectfully submitted, this 17th day of February, 2020.



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Geoffrey M. Drake  
Partner  
King & Spalding LLP